G R S IX 5]

Previous references

1918. File No 129–18

(MU) Serial Nos 2

Later references

GENERAL AND REVENUE SECRETARIAT

Serial Nos 1

Part B for February 1919

SUBJECT

Election Rules for City Municipal Councils.

From Mr. V. K. Nair, Representative, Associated Press of India

No. — Dt 8/2/19.

Requests to be informed what "section of inhabitants" in Rule 4 of the Election Rules for City and Town Municipal Councils means.

The Communique has issued in No. 10687 MU 129-18-3 Dt 19/2/19

W D 1250—GPB—80,000 23-1 19

B. A. Narasimhaiyar 26/2/19

G R. 8 III—1] 1919

GENERAL AND REVENUE SECRETARIAT

(Mun)

NOTES

File No. 129/18

FILE HEADING

Election Rules for Municipal Councils

From Mr V. K Nair, Representative Association Pala

No Dated 8-2-1919 Received 10/2 Jan 1919

Diary No	10969 Enclos	Spare Copies	Serial No 2

BRIEF ABSTRACT OF LETTER

Requests to be informed what "Section of inhabitants" in rule 4 of the Election Rules for Municipal Council means.

NOTES AND ORDERS

Boundary Regn. - II

Asst Secy L F

Please put up a draft reply very soon See discussions in connection with the Section in the Municipal Regulation which may contain something about the interpretation

NOTES—First Sheet

WD 1232—GPB—20,000—18 11 16

G R S III-2]

General and Revenue Secretariat | Pol File No 129 of 1918

Serial No	
	of the word 'Section' used in the Rig'n (Sd) B R 10 2 19
2	Pol-H-VK
	Being up with reference (Sd) B T-K 10 2
3	Attention is invited to the following
	(i) Sec 11 of the Bombay, Dist. Municipal Act From the Comments under 6 appended to the rule it would appear that the word 'Section' is synonymous with 'Class' or 'Community']
	(ii) Sec 8 of the Burma Municipal Act & Appendix A to the Burma Municipal Election Rules (pages 136 & 137 of the manual) In Burma the class or section is [illegible]
	(iii) Sec 9 of N.W. Provinces & Oudh Municipalities Act
	(iv) Sec 150(2)(c) of the Central Provinces Municipal Act
	(v) Secs 12 & 240(1)(b) of the Punjab Municipal Act
	(vi) Portion marked in pencil on page 33 of the Proceedings of the Meeting held on 24 2. 1918.
	10. 2 1918

NOTE—Contin sheet

WD A 1780—GPB—60 000—20-8 18—S.

G R. S III 2]

General and Revenue Secretariat | Rel File No 129 of 1918.

Serial No.

4 The Municipal Reps is a close copy of the Bombay Municipal Act and section 11 in both acts is the same. Full discussion as regards the interpretation of the term "Sections of the Inhabitants" in the Rep is contained in Cummings Manual page 27 Third reference is invited to the portion marked in Flag V from which it will be seen that Govt has not lost sight of the demands of communal interests in the case of the places in which sectional representation was urged The sub Reps had adopted It was pointed out then that the mul Reps itself provided the necessary safeguard

5 The files regarding these revised rules are now with the Private Secy to the Dewan, and the selection of the term to be used in this connection is to be passed on the Council resolution

6 Submitted with a draft

7) Please put up typed draft as revised, at once

MK 13/2/19

MK 14/2/19

Rev Secy)

8) A draft reply explaining the terms in a general way is put up It does not seem necessary to go further than this

9) The second alternative meaning mentioned in the bl under reply is not, of cours

NOTE—Contn sheet

WD A 1786 -(PE-60 000—20 8 18—S.

G. R. S III 2]

General and Revenue Secretariat

ML File No 129 of 1918

Serial No.

Correct, as there is no meaning in the expression 'non-Brahmin', which denotes only a negative qualification! But there seems to be no need to make any mention of this point in the reply.

For approval or other orders

Temporary Member
& Dewan

14 2 19

10) I think the interpretation put on the word 'Classes' & 'persons' is right & it applies to any grouping that may bring the Brahmin classes. In this term is used comprehensively so as to apply to any single community or recognised class of persons.

15/2/19

11) Subject to the foregoing remarks the terms in the draft rule (see 11 & 12) and the rule is framed.

Recommended

21, 16/2

NOTE—Contn. sheet

WD A 1789—GPB—60 000—20 8 8—S

G R S 111-2]

General and Revenue Secretariat | ML File No. 129 of 1918

Serial No

(12) Sub for perusal. The draft as noted on the lines indicated as above may not be quite meet the requirements of the correspondent. Perhaps the paper may be simply lodged & the applicant informed verbally, or on an answer, if he insists, that Govt. cannot enter into any correspondence on the subject.

Temp Secretary

17.2.19

(13) I think the draft would do if we need not enter into a discussion for reasons given by the Govt. So drop the matter & not to open a reply is not right

17.2

(14) Instructions as to action from Secretariat, &c. Issued - 15/2/19 Draft put up

X No 10687 / ML 129-18-3 } 19/2/1919 (15) Press Communique on the subject has now issued. No reply to this is necessary. File

21.2.19

Note—Contd sheet.

WD A 1759—GPB—60 000—20-3-18—S.

The New Municipal Rules

The New Municipal Rules published in the *Gazette* of the 23rd January last contain a novel provision which has been generally interpreted as a concession to the demand for communal representation on municipal and local boards The full text of the Rule is as follows —

4 (1) "If in any division of a Municipality divided for electoral purposes or divisions under the foregoing rule, not less than 50 per cent, and in a Municipality not so divided not less than 25 per cent of the total number of persons eligible to vote, belong to any one section of the inhabitants, then such voters may apply to Government, provided that the application is made by not less than three-fourths of their total number for permission to elect one or more members of such section, and the Government may thereupon pass such orders as they deem fit

We do not see how communal representation naturally or inevitably follows from the above. "Any one section of the inhabitants" is a very vague expression, which may mean either a community or a non-communal interest such as traders, weavers, Government servants etc An important point in the interpretation of the expression will be whether a little ingenuity may be made the claim for [illegible] section of the inhabitants—such as their *not being* Hindus, Mahammadans or Christians or again *not being* Komitis or Brahmins or Savyads In a Municipal division containing Brahmins, Komitis other Hindus and Mahammedans, can all non Brahmins who would together happen to be more numerous than Brahmins, claim separate representation, *while the Brahmins do not make a similar claim?* When the Brahmins make good such a claim, the rest have perforce to be treated as the other section of the inhabitants But when they do not so claim can the general body of the inhabitants by merely excluding a small class claim to be a distinct section? Similarly can *non* Smarthas or non Komitis or non-traders or non officials claim to be separate sections of the inhabitants by their negative qualifications? It is mischievous, not to say ridiculous, to admit of such interpretations. But whatever its interpretation the Rule does not appear to us to serve any purpose—useful or otherwise A section of voters which is not less than 50 per cent of the whole is the master of the situation It need not apply to the authorities to be treated as a separate constituency It can put forward its own candidates and get them returned Sections which are considerably less numerous than 50 per cent. are able to decide elections Where then is the need for a Rule like the above? On one supposition only is it admissable and it is this that the voters are unable to vote as they like, that they cannot withhold the vote from a candidate whom they disapprove, that they cannot support a candidate whom they approve If really we are in such a predicament, let us not pretend to deserve municipal institutions If we cannot yet be trusted with the vote let us postpone all talk of popular institutions for a long time to come, and meanwhile cultivate the virtue of being docile and contented subjects of an omniscient bureaucracy

Nor is the case for communal representation any stronger Either we have risen above the communal stage of public feeling or we have not If we have not, we are unfit for public life of a wider concern than in the class or the caste We cannot think of the State or the Municipality It is true that most of us are not educated enough- irrespective of University degrees—to understand and

P.T.O.

approaches the idea of the State or even the Municipality But we shall not get the education we all so much need by reading a narrower meaning into that idea. The field for communal activity is very wide in our country It need not be allowed to encroach upon the State. We are sorry that even such elementary truths have got to be dinned in the ears of our Government as well as our citizens We cannot help deploring the inconsistency or inconsistency of the inveterate habit of this new Government in this matter and it becomes all the more deplorable when we note that this innovation is introduced not directly or the Law but slyly in the subsidiary rules

8

G R S 111-2]

General and Revenue Secretariat

Jud File No. 129 of 1918

Serial No

(1) The Karnataka 12th Feby/19
Editorial note re The new Municipal Rules

(2) There is a misstatement in the concluding portion of the note. A draft-letter, which explains itself, is put up. If considered necessary it may be issued.

Temp. Member
L. Bewoor.)

12/2/19

(3) I am not personally in favour of appealing this position. The Press in these matters can easily put their letters and then we can merely say that they are concerned and their matter is taken up by unofficial parties after-wards. If they have specially in your mind the objectionable portions and state a further case and have their views, I should have no objection to their doing so. But as it is, I do not think we need take any step. Moreover, I do not think that any appeal would succeed in this direction.

The letter, it may be observed, relates solely to correcting a misstatement and nothing more

by 14-2-19

Note—Contn. sheet.

MD A 1759—GPE—60,000—20-3-18—S.

G R S III-2]

General and Revenue Secretariat | WC File No 129 of 1918

Serial No	
1	Cases submitted for Company forms altered, exceeding the Comp's expenses under this rule — Which issued — all details mentioned This allowance of 6% 4/16 2 Put up for perusal Temp'y member) — Secy Asst 17-2-19 17/2 —
2 No 10687 Jul 129/18 3	23) Noted Secy Asst 24-2-19

Note—Contn. sheet.

MD A 1763—GPB—60,000—20-8-18—S.

10

Interim Ack
Please publish
a short note
from the
Secretariat
in connection
with the Mr Raja's
which may con-
tain something
about the mis-
understanding
word 'Madras'
used in the Raja's

Chief Secretary's Office
Received
10 FEB 1919
Secretariat

Dated 4.2.19
Recd 7.2.19
Entered
Issued
Checked
Secret Branch
Confidential
Fee Rs. 1-8

10 FEB 1919

D. No. 969.

Ref. 124 18-2

Dear Sir,

In rule 4 of Municipal election rules 1919 published on page No. 14 Part 3 of Mysore Govt. Gazette of 11th & 23rd January 1919 it is stated that where "25 per cent of total number of persons eligible to vote belong to any one section of the inhabitants such voters may apply to Govt". I beg I request you to kindly inform what "section of inhabitants" means does it mean castes such as Kurubas, Vokkaligas, nagarthas or Lingayats, or does it mean all the non-Brahmin communities including Muhammadans and Christians clubbed together.

Thanking you in anticipation of a reply,

I remain,
Yours &c
V. T. Nair,
Representative
Associated Press of India

To
B. Ramaswamiah Esq
Revenue Secretary
Bangalore.

NOTIFICATION

No 10929—Ml 129 18-2 Dated 24th February 1919

ADDENDA ET CORRIGENDA

The following changes shall be made in the City Municipal Election Rules, 1919, published under Notification No 4297—Ml 129-18 1, dated the 7th January 1919, at pages 13 to 20 in Part III of the *Mysore Gazette* dated the 16th January 1919

1 The following marginal notes shall be inserted to rule 4

(i) Against paragraph (1) "Election by Sections of inhabitants"

(ii) Against paragraph (2) "Election by recognized public body or association

2 The figure "5" shall be substituted for "4" before the word "*supra*" in sub-clauses (i) (*b*) and (*d*) of rule 7

3 The following marginal note shall be inserted to rule 9
"Publication of the list of voters and candidates"

4 The words 'Publication of" shall be substituted for the word "Publications," in the marginal note to rule 11

5 The word "only" shall be added after the word "vote" at the end of line 5 in rule 13

6 The following marginal note shall be inserted to clause (ii) of rule 20,
"Provision of ballot boxes"

7 The figure "13" shall be substituted for "12" after the word "Rule" in rule 21

By Order,
B RAMASWAMAIYA,
Secy to Govt, Rev Dept

City Municipal Election Rules 1919

Price—0-1-6.

12

City Municipal Election Rules 1919

No 8297 - Ml 129 18 1, dated 7th January 1919

In exercise of the powers conferred by Section 11 (c) of the Mysore Municipal Regulation, No VII of 1906, and in supersession of the existing rules on the subject, the Government of His Highness the Maharaja of Mysore are pleased to make the following rules prescribing the qualifications of voters and candidates at elections of Municipal Councillors in a City Municipality and regulating the conduct of such elections

Preliminary

1 These rules may be cited as "the City Municipal Election Rules, 1919"

2 In these rules "the Regulation" means the Mysore Municipal Regulation, No VII of 1906, as amended by Regulations Nos IX of 1911, VIII of 1914, VIII of 1915, III of 1916 and V of 1918

Divisions

Dividing of Municipalities into Divisions and apportioning elective Councillors thereover

3 (i) The Municipal Council may divide the Municipality for electoral purposes into as many divisions as may be necessary the boundaries of which shall be clearly defined, and, when such a division has been made, shall apportion the number of elective Councillors over the said divisions with reference to the population, the number of voters and the total revenue under assessed taxes in every Division

(ii) The Divisions into which the Municipalities of Bangalore and Mysore are at present divided for electoral purposes and the number of elective Councillors at present apportioned over the several divisions shall be deemed to have been fixed and apportioned under clause (i)

(iii) The Municipal Council, may, from time to time, alter the number and boundaries of the Divisions and re apportion the number of elective Councillors among the Divisions provided that except with the sanction of the Government no such alteration or re apportionment shall take effect within six months from the date on which

it is made and that every such re-apportionment be made in the manner aforesaid

4 (1) If in any division of a Municipality divided for electoral purposes into divisions under the foregoing rule not less than 50 per cent, and in a Municipality not so divided not less than 25 per cent, of the total number of persons eligible to vote belong to any one section of the inhabitants, then such voters may apply to Government, provided that the application is made by not less than three fourths of their total number, for permission to elect one or more members of such section and the Government may thereupon pass such orders as they deem fit

(2) If, in any Municipality, there is any recognised public body or association, such body or association may apply to Government by a resolution passed by not less than three-fourths of the total number of members of such body or association for separate representation on the Municipal Council by election from among themselves provided that the strength of such body or association has not been less than 100 for a period of six months next prior to the date of such resolution, and that not less than three fourths of the members are entitled to have their names entered in the list of voters and the Government may thereupon pass such orders as they deem fit

Qualification of Voters and Candidates

Qualification of voters

5 Unless disqualified under Section 21 of the Regulation by being less than 21 years of age, all persons who are of sound mind, and who are not deaf mutes, and who are subjects of Mysore or of any other State in India and all British Subjects qualified as voters under Section 12 (*a*) and (*b*) of the Regulation and the following persons of the male sex shall be entitled to have their names entered in the list of voters, *viz* —

(i) First and Second grade pleaders holding Sannads from the Chief Court of Mysore
(ii) Persons upon whom titles have been conferred by the Government of India, or by His Highness the Maharaja of Mysore
(iii) Servants of Government, or of any public body, or of any corporation or of any company registered under

} Who have been residents of the Municipality for not less than six consecutive months prior to the date of the publication of the list of voters

12

Regulation, VIII of 1917, whose salary is not less than Rs 50 per mensem

(iv) Persons in receipt of pension of not less than Rs 15 per mensem from Government, or, from any public body, or corporation or company registered as aforesaid, and

(v) Registered landholders whose holdings are assessed (or in the case of alienated lands, would be assessed if they were not alienated) to the land revenue at an amount not less than Rs 5

Who have been residents of the Municipality for not less than six consecutive months prior to the date of the publication of the list of voters.

(vi) (*a*) Persons who have paid for a period of not less than six months next prior to the date of the publication of the list of voters Municipal taxes, other than octroi or toll, of an amount not less than Rs 2 8 0

(*b*) Persons who have been during the period aforesaid the occupiers as owners, mortgagees or tenants of buildings on account of which there has been paid for such period a tax of not less than the amount fixed under the above para

Provided that—

(*a*) when any qualification prescribed by this rule is possessed by an undivided family, or any association or body of individuals, other than a company or firm or any trustees, being two or more in number of any building or land, any one individual person duly authorised in this behalf by the members of such family association or body or by such trustees and when such qualification is possessed by any company or firm the resident member, manager or agent thereof shall unless he is disqualified under Section 21 of the Regulation on account of being less than 21 years of age, be entitled to have his name entered in the list of voters on behalf of such family or association or body or trustees or company or firm,

(*b*) if any person whose name is entered in the said list under proviso (*a*) possess on his own separate account any qualification prescribed as aforesaid, he shall be entitled to have his name entered in the said list separately on his own account,

(*c*) except in the case mentioned in proviso (*b*) no person shall be entitled to more than one vote although he be qualified under two or more of the tests of qualification prescribed by this rule or by Section 12 of the Regulation

Voters entitled to vote in one Division only

6. Each voter shall be entitled to vote in the division in which he resides or in the case of a qualification arising from the payment of Municipal taxes, in the division in which his liability to pay the same occurs

Provided that—

(*a*) no person shall be entitled to vote in more than one Division,

(*b*) any person possessing the qualifications of a voter in connection with more than one Division shall be at liberty to choose for which of such Divisions he shall be entitled to vote, and failing his doing so within a week after public notice has been given calling up on all such persons to make their choice shall be entitled to vote in such division as the Municipal Council shall determine

What persons may be candidates at a Municipal election

7 (1) Voters of the classes described below shall unless illiterate or disqualified under Section 15 of the Regulation, be qualified to be candidates for Municipal Councillorship at such election —

(*a*) persons mentioned in Section 12 (*a*) and (*b*) of the Regulation,

(*b*) persons mentioned in paras (i) and (ii) of Rule 4 *supra*,

(*c*) persons other than Government servants described in para (iii) of the above said rule if their pay is not less than Rs. 100

(*d*) Pensioners of the kind described in para (v) of 4 *supra*, provided that their pension is not less than Rs 50 a month

(*e*) Registered landholders whose holdings are assessed (or in the case of alienated lands

would be assessed if they were not alienated) to the land revenue at an amount not less than Rs 10

(f) (1) Persons paying Municipal taxes of amounts not less than Rs 5

(2) Persons who have been the occupiers as owners, mortgagees or tenants of buildings on account of which there has been paid a tax of not less than the amount fixed under the above sub para

(ii) Any person whose name is entered in the list of voters as entitled to vote in one Division may be a candidate for election either in the Division for which his name is so entered or in any other Division

List of Voters and Candidates

By whom and in what manner and at what periods list of voters and candidates is to be prepared

8 (i) The Government shall, from time to time, appoint an officer of the Municipal Council to prepare a list of voters This list shall also indicate what persons shown therein are eligible to be candidates at elections

(ii) Such list shall show the persons entitled to vote in each Division separately

(iii) Similar new lists shall be prepared every year by an officer of the Municipality as aforesaid

9 Every list prepared under Rule 8 shall be published in the official *Gazette* both in English and Kannada and copies thereof affixed at the Municipal Office, and at such other conspicuous place or places within the Municipality, as the Municipal Council shall appoint at least two months before the 1st day of June or other date the Government may determine by notice to be given in that behalf and to be affixed at the Municipal Office

Revision of lists

10 (i) Any person whose name is not entered in the list of voters published as aforesaid and who deems that he is entitled to have his name entered therein, any person whose name is entered in the said list and who is eligible to be a candidate at election but who is not shown as such therein, and any person whose name is entered in the said list who shall think that the name of some other person has been wrongly entered therein as a voter or as a voter and candidate, may apply in writing within a fortnight from the date of publication of the list, to the officer or other person appointed under Rule 8 to prepare the list, for the amendment thereof

(ii) The officer or other person appointed as aforesaid shall forthwith forward every such application, with his report thereupon, for the decision of the Municipal Council

(iii) The officer or other person appointed to prepare the list may also bring to the notice of the Municipal Council within a fortnight from the date of publication of the list, any additions to, or corrections in the list which he shall discover to be necessary, otherwise than on the application of any person interested therein

(iv) Notice of every application under sub section (i) and of every reference under sub section (iii) should be given by the Municipal Council, to any person affected thereby and the Municipal Council at its next meeting, shall consider and pass order on such application or reference A copy of every order so passed upon an application shall without delay be communicated to the person by whom the application was made and a copy of every order, whether upon an application or a reference shall without delay be communicated to each person, if any, whose name is thereby ordered to be removed from the list of voters, or, who is declared ineligible to be a candidate at election

(v) An appeal shall lie to Government from the decision of a Municipal Council on any such application, or reference, but the Government may decline to entertain any appeal which is not presented within ten days from the date when the decision of the Municipal Council is communicated to the appellant

(vi) Every order passed by the Government under this rule shall be final

Publications additions etc made on revision of list

11 (i) All additions to, and corrections in the list of voters and candidates, made under the authority of the Municipal Council or of the Government on appeal or otherwise, shall be published in the manner prescribed in Rule 9 at least fourteen days before the date specified in that rule

Custody of list.

(ii) Every list of voters prepared with all additions thereto and corrections therein made under these rules shall be entered in a book, each page of which shall be sealed with the common seal of the Municipal Council, and the said book shall be kept in the Municipal chest or safe under lock and key, and the officer whose duty it is to keep the key of the said chest or safe shall be responsible for the safe custody of the said book

Time and Place for Elections

President to fix and publish times and places for elections

12 The dates on which, the hours during which, and the places at which, Municipal elections shall be held shall be fixed by the President subject to approval of Government by written notice published in English and Kannada not less than fifteen days before the earliest date prescribed in such notice, and copies of the notice shall be affixed at the Municipal Office, and at such other conspicuous place or places within the Municipality as the Municipal Council appoint for this purpose

Votes at Elections

What persons may vote at a Municipal election

13 Only those persons shall be entitled to vote at a Municipal election, whose names are entered in the revised list of voters and candidates of the Municipality in which such election is held, last published before the date of election, and the said persons shall be entitled to vote in the division for which their names are, respectively entered in the said list

Nomination of Candidates

Nomination how and by whom to be made

14 (i) Every person who desires or is willing to become a candidate for a Municipal Councillorship and who is shown in the list of voters and candidates as eligible to be a candidate at the election must be nominated in writing for this purpose by two persons entitled to vote at the election for such Municipal Councillorship and the nomination paper must bear an endorsement signed by the nominee signifying his willingness to serve, if he should be elected, and be delivered to the officer appointed by the Government for this purpose at least ten days before the date fixed for election

(ii) The said officer shall, if any nomination paper is prepared and delivered to him in accordance with sub section i) and if the nominators establish to his satisfaction that they are entitled to vote at the election and that the nominee is qualified as a candidate, include the nominee's name in a list of candidates which shall be prepared under his signature and posted up at the Municipal Office and at the place at which the election is to be held and in other conspicuous places, at least five days before the date fixed for election

(iii) When elections are to be held at or about the same time in two or more divisions, one and the same person may be nominated for election in all or in any number of the said divisions

Conduct of Elections

Appointment of Polling Officer

15 A Polling Officer shall be appointed by the President of the Municipal Council to preside at each place at which an election is to be held and to receive votes thereat If possible, the Polling Officer shall be a person who is acquainted with, and therefore able to identify the voters or the greater number of them

For how many and for what persons votes may be given

16 Every voter may vote for as many candidates as there are Councillors to be elected for the division A vote for any person whose name is not included in the list of candidates published under Rule 14 shall not be received

Voters to vote in person

17 Voters must vote in person

Voting to be by ballot

18 The votes shall be given by ballot

Description of ballot.

19 The ballot of each voter shall consist of an envelope supplied at the Polling Office, on the face of which the number of vacancies to be filled and the names of candidates for election whose nominations have been included in the list of candidates under Rule 14 shall be printed or legibly written, but the name of any candidate who may have subsequently withdrawn his candidature should be scored out by the President of the Municipal Council or the Polling Officer under the orders of the President The voter shall write his name and number inside the envelope and hand it over to the Polling Officer, who shall, after seeing that the name and number of the voter are legibly entered close the envelope, seal it or sign across the flap and give it to the voter In the case of illiterate voters, the Polling Officer shall enter their name and number inside the envelope

Procedure in voting

20 (i) The voter shall then go into a private cubicle, which shall be provided within the polling booth, score out the name or names of the candidates for whom he does not vote, retaining the name or names of the candidates, not exceeding the number of persons to be elected, for whom he votes and himself drop without the Polling Officer seeing for whom he has voted, the envelope into the ballot box The Polling Officer shall carry out any special rules that may be made by the President of the Municipal Council, as he is hereby empowered to make such rules, for recording the votes of illiterate persons and also of such as are unable to write

(ii) The ballot box shall be so constructed that the ballot paper can be introduced but not extracted without

the box being unlocked and it shall be securely sealed by the President of the Municipal Council with the Municipal seal The President shall certify in writing that the box is empty and hand t over personally to the Polling Officer at the Polling Office on the day of election

(iii) One or more boxes so sealed shall be provided by the Municipal Council for each place at which votes are to be received

What votes shall be allowed by the Polling Officer

21 No vote shall be received by the Polling Officer from any person who, under Rule 12, is not entitled to vote

Polling Officer to satisfy himself of identity of persons tendering votes etc

22 The Polling Officer shall satisfy himself as to the identity of the persons tendering votes, and may refuse the vote of any person who declines to answer any reasonable question put to him for this purpose or whose identity is not established to his satisfaction He is also responsible for seeing that the votes shall be recorded with absolute secrecy, that no person who is not entitled to vote shall be admitted to the polling booth and that persons who have recorded their votes shall leave the booth immediately

Voting boxes how to be dispo ed of by Polling Officer

23 After the close of the poll, the Polling Officer shall forthwith forward the box or boxes aforesaid with its seal or their several seals intact, to the President of the Municipal Council, or to such Municipal Councillor, or, officer as the President appoints in this behalf

Determination of results of Elections

Scrutiny of votes and declaration of results of elections

24 (i) The boxes aforesaid shall be opened in the presence of the Municipal Councillors at a special general meeting convened for this purpose

(ii) The votes shall then be scrutinized and those that are valid counted by such persons as the Councillors present appoint in this behalf Any ballot paper on which the names of more candidates are retained than there are persons to be elected, shall be invalid

(iii) The results of the election on being ascertained at a special general meeting of the Municipal Councillors shall be declared by the presiding officer of such meeting and shall be recorded in the minutes of the proceedings of the meeting Provided that no candidate shall be considered as elected unless he secures the votes of at least one eighth of the total number of persons entitled to vote

Proceedings when two or more candidates have an equal number of votes, etc.

25 (i) If there is an equal number of votes in favour of each of two or more candidates for one Councillorship, the selection of one of such persons shall be made by lot by the presiding officer of the aforesaid meeting, in such manner as the meeting shall determine

(ii) In the event of any person being elected for two or more divisions, such person shall be at liberty to choose the division which he will represent and failing his doing so within forty eight hours after the declaration of the result of the election, he shall represent such of the said divisions as the Government shall determine In every other division for which the said person has been returned other than the one which he elects to represent or which it is determined as aforesaid that he shall represent, the result of the election shall be determined as if no votes had been recorded for him

Custody and Destruction of Voting Papers

Safe custody of voting papers and Polling Officer's memoranda

26 When the voting papers have been scrutinized, they shall be replaced in the box from which they were taken, and the box, after being locked and sealed with the Municipal seal shall be kept by the President of the Municipal Council in safe custody for a period of fifteen days from the date of the declaration of the result of election

Eventual destruction of voting papers and Polling Officer's memoranda

27 (i) On the expiry of fifteen days from the said date, or, if an application regarding the election is made to the District Judge under Section 22 of the Regulation, and such application is not finally disposed of before the expiry of fifteen days from the said date, then whenever such application has been finally disposed of, the voting papers shall be destroyed in the presence of such Municipal Councillor or officer as the Municipal Council appoints for this purpose

(ii) On receipt from any person of a written intimation that he has made an application regarding the election as aforesaid, the Municipal Councillor shall cause the voting papers to be kept, pending the final disposal of the said application

Gazetting the Results of Election

Publication of results of elections in the *Mysore Gazette*

28 The result of every election declared at a special general meeting under Rule 24 shall be certified by the presiding officer of such meeting to the Government for being notified in the *Mysore Gazette*

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29 On a vacancy occurring in a Municipality between two general elections, it shall be reported by the President of the Municipal Council to the Government and the above rules shall apply to such bye elections except Rules 10 and 11 The last revised list of voters and candidates shall be published and persons entered in that list, unless disqualified in the meantime, shall alone be considered entitled to vote or to be elected Provided that no bye-election shall, except with the sanction of the Government, be held later than one month after the vacancy is reported Bye-elections

By Order,

C S BALASUNDARAM IYER,

For *Secretary to Government*,

Revenue Department